

On August 24, 2005, Plaintiff, a state prisoner, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 and a motion for leave to proceed *in forma pauperis*. On that same day, the Court sent a notification to Plaintiff that his application for leave to proceed *in forma pauperis* was insufficient because he did not submit either a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at the prison, or a copy of his prisoner trust account statement showing transactions for the last six months (docket no. 3). The Court's notice warned Plaintiff that the case would be dismissed if Plaintiff failed to file the required documents within thirty days.

On September 14, 2005, the Court received a Certificate of Funds form listing the above-referenced case number, but indicating no name, no amount of average deposits or average balance in Plaintiff's account for the most recent six-month period, and no signature of an authorized officer.

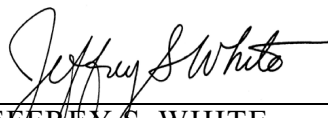
Even if Plaintiff is granted leave to proceed *in forma pauperis*, he must still pay

1 the full amount of the Court's filing fee, but the fee will be paid in several installments.
2 He must pay an initial partial filing fee of 20 percent of the greater of (a) the average
3 monthly deposits to his account for the 6-month period immediately before the complaint
4 was filed or (b) the average monthly balance in his account for the 6-month period
5 immediately before the complaint was filed. The Court will use the information provided
6 on the Certificate of Funds and the trust account statement to determine the filing fee
7 immediately due and will send instructions to the prisoner and the prison trust account
8 office for payment if *in forma pauperis* status is granted.

9 Accordingly, Plaintiff is hereby granted LEAVE TO AMEND to supplement his *in*
10 *forma pauperis* application within **thirty (30) days** of the date of this order, with (1) a
11 Certificate of Funds in Prisoner's Account completed and signed by an authorized officer
12 of the institution, and (2) a trust account statement showing the amount of funds
13 deposited and held in his account over the course of the past six months signed by an
14 authorized officer of the institution. Failure to do so will result in the dismissal of this
15 action without prejudice.

16 IT IS SO ORDERED.

17 DATED: November 15, 2005



JEFFREY S. WHITE
United States District Judge